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Due Date: March 9, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Clinton A. Staley et al.	Examiner:	Allen C. Wong
Serial No.:	09/672,352	Group Art Unit:	2613
Filed:	September 28, 2000	Docket:	G&C 30566.274-US-01
Title:	VARIABLE BIT-RATE ENCODING		

## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on March 9, 2006.

By:   
Name: Jason S. Feldmar

**NOTICE OF APPEAL FROM THE EXAMINER**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 4-6, 8-19, 21, and 23-31 of the above-identified application, as set forth in the Office Action mailed March 3, 2006.

Please charge the amount of \$500.00 to Deposit Account No. 50-0494 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b).

03/10/2006 HLE333 00000069 500494 09672352

01 FC:1401 500.00 DA

Please charge any additional fees or credit any overpayment to Gates & Cooper LLP, Deposit  
Account No. 50-0494.

Respectfully submitted,

Clinton A. Staley et al.

By their attorneys,

GATES & COOPER LLP  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: March 9, 2006

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By: 

Jason S. Feldmar

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**Gates & Cooper** *LLP*Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045**FAX TRANSMISSION TO USPTO**TO: Commissioner for Patents  
Attn: Examiner Allen C. Wong  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450FROM: Jason S. Feldmar  
OUR REF.: G&C 30566.274-US-01  
TELEPHONE: (310) 642-4141Total pages, including cover letter: 5PTO FAX NUMBER: **571-273-8300**

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Title of Document Transmitted:	TRANSMITTAL SHEETS AND NOTICE OF APPEAL.
Applicant:	Clinton A. Staley et al.
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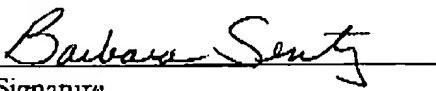
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T-175 P.002/005 F-432

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Dear Sir:

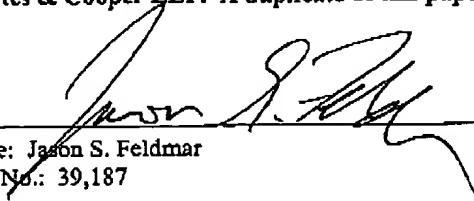
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- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Notice of Appeal.
- ☒ Charge the Fee for the Notice of Appeal in the amount of \$500.00 to the Deposit Account.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

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Customer Number 22462  
**GATES & COOPER LLP**  
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By:   
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Reg. No.: 39,187  
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